

EXHIBIT “B”

DEFENDER ASSOCIATION OF PHILADELPHIA:
MOTION FOR A NEW TRIAL UPON AFTER DISCOVERED EVIDENCE;
ALTERNATIVELY, FOR POST CONVICTION COLLATERAL RELIEF; OR
ALTERNATIVELY, FOR A WRIT OF HABEA CORPUS
AND PROPOSED ORDER OF COURT:
COMMONWEALTH OF PENNSYLVANIA v. LAMONT MILLER
CASE NO. CP-51-CR-0000427-2011

FILED
09/25/2014 12:52:31 PM
Post Trial Unit
By: P. MCI

DEFENDER ASSOCIATION OF PHILADELPHIA

BY: Ellen T. Greenlee, Defender and
Bradley S. Bridge and Shonda Williams
Identification No. 00001
1441 Sansom Street
Philadelphia, PA 19102
(215) 568-3190

COMMONWEALTH OF PENNSYLVANIA : THE COURT OF COMMON PLEAS
: CRIMINAL TRIAL DIVISION

: CP-51-CR-0000427-2011

VS.

: CHARGES: Manufacture,
Delivery, or Possession With
Intent to Manufacture or Deliver

Lamont Miller
PPN: 840550

MOTION FOR A NEW TRIAL BASED UPON AFTER DISCOVERED EVIDENCE;
ALTERNATIVELY, FOR POST CONVICTION COLLATERAL RELIEF;
OR ALTERNATIVELY, FOR A WRIT OF HABEAS CORPUS

Lamont Miller, by Bradley S. Bridge, Assistant Defender,
Assistant Defender, Shonda Williams, Assistant Defender, Karl
Baker, Assistant Defender, Chief, Appeals Unit, and Ellen T.
Greenlee, Defender, hereby requests relief under Rule 720(C),
Pa.R.Cr.P., as after discovered evidence, alternatively under the
Post Conviction Relief Act, or alternatively as a writ of Habeas
Corpus pursuant to the Pennsylvania and United States Constitutions
and 42 Pa.C.S.A. §6501 et. seq., and in support thereof avers:

1. Petitioner Lamont Miller was arrested on 6/16/2010, and charged with Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver. He pled guilty before the Honorable Rayford A. Means. He was sentenced on 3/3/2011 to Probation 5 years.

2. Lamont Miller neither filed a post-conviction petition nor a habeas corpus petition in state or federal court.

3. There have been substantial developments following Lamont Miller's plea that entitles him/her to a new trial based upon after discovered evidence and based upon due process of law, under both the Pennsylvania and United States' Constitutions. An examination of the facts and the applicable law demonstrate this conclusion.

4. The critical police officers in the instant case were Thomas Liciardello, Brian Reynolds, Michael Spicer, Perry Betts, Linwood Norman, and/or John Speiser. All were indicted by the federal government on July 30, 2014 and charged with robbery, falsification of records, RICO and related crimes.

5. While the prosecution has not turned over any Brady material, counsel is filing this petition within 60 days of the public disclosure of the arrest and charging of the officers. These facts constitute after-discovered evidence under the provisions delineated in the opening paragraph.

WHEREFORE, Petitioner, by and through counsel, respectfully requests that this Honorable Court grant relief as after-discovered

evidence, or under the Post-Conviction Relief Act or grant a writ of Habeas Corpus, and grant a new trial.

Respectfully submitted,

/s/

BRADLEY S. BRIDGE
Assistant Defender

SHONDA WILLIAMS
Assistant Defender

ELLEN T. GREENLEE
Defender

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ORDER

AND NOW, this day of , 2014, upon examination of
the Motion For A New Trial Based Upon After Discovered Evidence;
Alternatively, For Post Conviction Collateral Relief, Or
Alternatively, For Writ Of Habeas Corpus, it is HEREBY ORDERED and
DECREED, that a new trial is granted. The District Attorney's
motion to nolle prosequere the charges is granted.

J.